

September 25, 1952

Mr. Patrick H. Fenton  
Attorney-at-Law  
55 North Main Street  
Cedar City, Utah

Dear Sir:

RE: COAL CREEK DISTRIBUTION

In answer to your letter of September 19, 1952, I am enclosing a letter that I have addressed to Theron Ashcroft, Water Commissioner on Coal Creek in answer to an inquiry from him regarding the distribution of water of Coal Creek.

I cannot determine with the information available to me now whether or not the water is being distributed in accordance with the Coal Creek Decree or whether or not there is more water being diverted in the Cedar City distribution system than the amount permitted under the Decree. It would require further study in the field or more facts should be made available to the State Engineer's Office before the question of whether or not Cedar City is diverting more water than that to which they are entitled; therefore, until more facts are available, I cannot intelligently rule thereon. However, I stand ready to give any advise possible to the Water Commissioner in effort to equitably distribute the water in accordance with the existing decreed and other rights.

Very truly yours,

Joseph M. Tracy  
STATE ENGINEER.

LCM:dl

Enc: 1 letter